

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE**

**SNMP RESEARCH, INC. and SNMP  
RESEARCH INTERNATIONAL, INC.,**

**Plaintiffs,**

**v.**

**BROADCOM INC.; BROCADE  
COMMUNICATIONS SYSTEMS LLC;  
AND EXTREME NETWORKS, INC.**

**Defendants.**

**Case No. 3:20-cv-00451**

**Jury Demand**

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**DECLARATION OF OLIVIA L. WEBER IN SUPPORT OF PLAINTIFF'S MOTION TO  
COMPEL RESPONSES FROM DEFENDANTS BROADCOM INC. AND BROCADE  
COMMUNICATIONS SYSTEMS LLC**

I, Olivia L. Weber, declare and attest as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for SNMP Research, Inc. ("SNMP Research") and SNMP Research International, Inc. (together, "Plaintiffs") in this action. I am a member in good standing of the State Bar of California and have been admitted pro hac vice to this Court. I have personal knowledge of the facts set forth in this Declaration and, if called to testify, I could and would testify competently thereto under oath.

2. On June 25, 2021, the Court issued its order denying the motion to stay discovery filed by Defendants Broadcom Inc., Brocade Communications Systems LLC, and Extreme Networks, Inc. (together, "Defendants"). The Court also denied SNMP Research's three pending motions to compel without prejudice, subject to potential refiling after the parties' ability to meet and confer.

3. On June 25, 2021, Plaintiffs' counsel requested a July 2, 2021 meet and confer with counsel for Defendants to discuss Defendants' supplemental responses to SNMP Research's two sets

of discovery requests, but Defendants were unavailable to speak until July 13, 2021. In total, Plaintiffs' counsel initiated four meet and confer calls with Defendants, which occurred on July 15, July 21, July 28, and August 5, 2021. During these calls, Plaintiffs' counsel attempted to reach agreement with Defendants. After repeatedly requesting Defendants to provide Plaintiffs a firm date for serving substantive supplemental responses, Defendants informed Plaintiffs on July 28, 2021 that they would do so within 30 days, by August 27, 2021. A copy of the email chain between the parties concerning these calls is attached as Exhibit A.

4. Despite their commitment to provide amended responses by August 27, 2021, counsel for Broadcom and Brocade informed counsel for Plaintiffs on the evening of August 27 that "[w]e are going to need a bit more time to amend our discovery responses. I am hoping to get them to you by the end of next week." Counsel for Plaintiffs responded and requested responses by September 3, 2021. To date, counsel for Broadcom and Brocade have not provided their supplemental substantive responses. A copy of the email chain between the parties concerning these communications is attached as Exhibit B.

Executed this 10th day of September, 2021, at Newport Beach, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Olivia L. Weber  
Olivia L. Weber